



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/698,793	10/27/2000	Bruce D. Melick	P04254US1	6695

22885 7590 10/09/2002

MCKEE, VOORHEES & SEASE, P.L.C.
801 GRAND AVENUE
SUITE 3200
DES MOINES, IA 50309-2721

EXAMINER

HAMILTON, MONPLAISIR G

ART UNIT

PAPER NUMBER

2172

DATE MAILED: 10/09/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/698,793	Applicant(s) MELICK ET AL.
	Examiner Monplaisir G Hamilton	Art Unit 2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 27 October 2000 .

2a) This action is **FINAL**. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-20 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-20 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on 27 October 2000 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) The proposed drawing correction filed on _____ is: a) approved b) disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.

12) The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. ____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) The translation of the foreign language provisional application has been received.

15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) Notice of References Cited (PTO-892) 4) Interview Summary (PTO-413) Paper No(s). _____
2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) Notice of Informal Patent Application (PTO-152)
3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) Other: _____

DETAILED ACTION

1. Claims 1-20 are pending.

Priority

2. Applicant's claim for domestic priority under 35 U.S.C. 119(e) is acknowledged.

Information Disclosure Statement

3. The submission is in compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure statement is being considered by the examiner.

Claim Objections

4. Claim 9 is objected to because of the following informalities: claim 9 does not further limit claim 6. See CFR 1.75 (c). Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

5. Claims 6, 9-10, 15-16, 17, 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Jungers.

Referring to Claim 6, 9:

Jungers discloses a method of transmitting data from a master to a user, the method comprising: understanding the type of data to be transmitted from the master (col 4, lines 20-25); accessing the data stored by the master; creating one or more fields corresponding to the type of data to be transmitted (col 3, lines 45-55); writing a linear file allocation table giving the name of the field and location within a transmission at which the field contents start and stop (Fig 1, col 3, lines 40-50); transmitting the linear file allocation table to a user; and transmitting the data

from the master to the user at the location indicated in the linear file allocation table (col 1, lines 5-10).

Referring to Claim 17:

Jungers discloses a method of providing universal data exchange, the method comprising: organizing data into fields which may be identified (Fig 1; col 2, lines 15-20); identifying the fields in a file allocation table (directory) (Fig 1; col 3, lines 10-15); providing a receiving device with a driver program capable of understanding the file allocation table (col 4, lines 20-25); transmitting the file allocation table to the receiving device (col 4, lines 50-55); and transmitting the data fields identified in the file allocation table (col 4, lines 50-55).

Referring to Claim 10:

Jungers discloses the limitations as discussed in Claim 6 above. Jungers further discloses the user accesses and transmits additional data stored by the user (col 13, lines 5-15).

Referring to Claim 15:

Jungers discloses the limitations as discussed in Claim 6 above. Jungers further discloses the data includes streaming data (col 1, lines 25-40).

Referring to Claim 16:

Jungers discloses the limitations as discussed in Claim 6 above. Jungers further discloses the data includes non-streaming data (col 1, lines 25-30; col 11, lines 42-45).

Referring to Claim 20:

Jungers discloses the limitations as discussed in Claim 17 above. Jungers further discloses the fields identified in the file allocation table (directory) are identified by reference to a standard format, which can be understood by the driver program (col 4, lines 55-67; col 5, lines 1-5).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 1-5, 7-8 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent 6438140 issued to Jungers et al, herein referred to as Jungers in view of US Patent 6031862 issued to Fullerton et al, herein referred to as Fullerton.

Referring to Claim 1:

Jungers discloses a structured linear database adapted for storage in a machine readable storage medium comprising: a linear file allocation table (directory) including a field name for one or more subdivisions of data and pulse start and end position information for each of the field names (Fig 1; col 2, lines 16-30); and a data portion which includes the data corresponding to each field in a predetermined position corresponding to the start and end position information in the file allocation table for each field (col 4, lines 20-25).

Jungers does not expressly disclose the claimed “pulse”.

Fullerton discloses a ROM used for linearization to aid in the production of a pulse’s representing 0 or 1 (col 20, lines 6-10; 50-55).

Art Unit: 2172

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to modify Jungers to include pulse position information. One of ordinary skill in the art would have been motivated to do this because it would permit the impulse radio transmitter and receiver to generate time delays having the necessary accuracy for impulse communication (col 20, lines 6-9).

Referring to Claim 2:

Jungers and Fullerton disclose the limitations as discussed in Claim 1 above. Jungers further discloses a routing header portion and a tailbit portion (col 1, lines 5-10; col 13, lines 40-50; col 14, lines 40-55).

Referring to Claim 3:

Jungers and Fullerton disclose the limitations as discussed in Claim 1 above. Jungers further discloses the structured linear database is transmitted over a telecommunications network (col 1, lines 5-10).

Referring to Claims 4 and 7:

Jungers and Fullerton disclose the limitations as discussed in Claims 1 and 6 above. Fullerton further discloses the structured linear database is transmitted over time modulated ultra-wide band system (col 1, lines 10-15).

Referring to Claims 5 and 8:

Jungers and Fullerton disclose the limitations as discussed in Claims 1 and 6 above.

Fullerton further discloses the structured linear database is transmitted over a fiber optics system (col 2, lines 20-25).

Referring to Claim 11:

Jungers and Fullerton discloses the limitations as discussed in Claim 6 above.

Jungers further discloses transmitting of the linear file allocation table to a user; and transmitting of the data from the master to the user at the location indicated in the linear file allocation table such that both the linear file allocation table and the data are stored on a transmission system (col 4, lines 214-20; 50-55; col5, lines 40-45).

Jungers does not expressly disclose repeating the claimed signal.

Fullerton discloses that the signal is periodic (col 2, lines 35-36).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to repeat the signal. One of ordinary skill in the art would have been motivated to do this because it would provide a train of identical pulses for each single bit (col 1, lines 60-65).

7. Claim 12, 13 and 14 rejected under 35 U.S.C. 103(a) as being unpatentable over Jungers as applied to Claim 6 above, and further in view of *Pulsing with a Promise* by Kevin Maney, herein referred to as Maney.

Art Unit: 2172

Referring to Claim 12:

Jungers discloses the limitations as discussed in Claim 6 above.

Jungers does not expressly disclose the claimed "transmitting occurs at a high rate of speed".

Maney discloses the pulses are very fast 40 million pulses per second (page 2, lines 5-9)

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to transmit at high speeds. One of ordinary skill in the art would have been motivated to do this because it would provide a method fast enough to carry voice data (page 2, line 9).

Referring to Claim 13:

Jungers discloses the limitations as discussed in Claim 6 above.

Jungers does not expressly disclose the claimed transmitting is highly secure.

Maney discloses the communication is the most secure way to transmit data (page 2, lines 10-12).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to transmit secure data. One of ordinary skill in the art would have been motivated to do this because it would provide a method to ensure that the data is received only for the intended receiver (page 1, lines 1-3; page 2, lines 13-16).

Referring to Claim 14:

Jungers discloses the limitations as discussed in Claim 6 above.

Jungers does not expressly disclose the claimed transmitting is highly secure.

Maney discloses transmitting is done wirelessly (page 2, lines 10-12).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to transmit data wirelessly. One of ordinary skill in the art would have been motivated to do this because it would provide a way to send information to cell phones (page 2, lines 17-24).

8. Claim 18 rejected under 35 U.S.C. 103(a) as being unpatentable over Jungers as applied to Claim 17 above, and further in view of *Data and Computer Communications* by William Stallings, herein referred to as Stallings.

Referring to Claim 18:

Jungers discloses the limitations as discussed in Claim 17 above.

Jungers does not expressly disclose the claimed “e-mail type fields”

Stalling discloses fields are e-mail type fields (page 704, lines 1-10; page 705; lines 1-12; page 706, Table 19.7).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have an email type fields. One of ordinary skill in the art would have been motivated to do this because it would provide a mechanism for transmitting email messages (page 70, lines 1).

9. Claim 19 rejected under 35 U.S.C. 103(a) as being unpatentable over Jungers as applied to Claim 17 above, and further in view of US Patent 5818442 issued to Adamson.

Referring to Claim 19:

Jungers discloses the limitations as discussed in Claim 17 above.

Jungers does not expressly disclose the claimed “e-mail type fields”

Adamson discloses the fields are business specific type fields (Fig 6; col 5, lines 30-43).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to have business fields. One of ordinary skill in the art would have been motivated to do this because it would provide a mechanism for transferring business cards (col 2 lines 1-10).

Prior Art

10. Prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 5706495 issued to Chadha et al. Chadha et al disclose a vectorized index comprised of a plurality of positions, wherein each position comprises a linear array that represents a value for the specified columns in a corresponding row of a particular table in a relational database.

US Patent 6250309 issued to Krichen et al. Krichen discloses a method of transferring information from an implantable medical device to a remote location. The system includes an

XML converter for converting the dump information into a database. The invention use TCP/IP to transfer the desired information.

US Patent 5852825 issued to Winslow. Winslow discloses a message-formatting program. The program formats the data message in a wide variety of custom formats by using a script interpreting control program. The present invention allows automatic reformatting of data which is entered into a remote terminal, to be modified to one of multiplicity of message formats without having to write, compile and release new message formatting applications.

Art Unit: 2172

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monplaisir G Hamilton whose telephone number is 1703-305-5116. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on 1703-305-4393. The fax phone numbers for the organization where this application or proceeding is assigned are 1703-746-7239 for regular communications and 1703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 1703-305-3900.

Monplaisir Hamilton
October 4, 2002


KIM VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100